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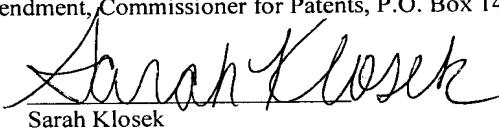
In re Application of: J. Li, et al. Confirmation No. 1275
Application No.: 10/718,047 Art Unit 1712
Filed: November 20, 2003 Examiner: M. Zimmer

POROUS POLYMERIC COORDINATION COMPOUNDS

(Attorney Docket No. P25,711-A USA)

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Sarah Klosek

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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Reply to Requirement for Restriction Dated May 31, 2005

Sir:

In response to the Examiner's Action mailed May 31, 2005, applicants hereby traverse the Examiner's Requirement for Restriction set forth therein and respectfully request reconsideration and withdrawal of the Requirement.

The Examiner requires restriction between the following groups of claims:

Group I – The polymer coordination compound of Claims 1-3 and 12-13 classified in Class 528, Subclass 395;

Group II – The method of making a polymer coordination compound of Claims 4-6 classified in Class 502, Subclass 509;

Group III – The method of using a polymer coordination compound of Claims 7-10, classified in Class 502, Subclass 150;

Group IV – The method of making a polymer coordination compound of Claim 11, classified in Class 502, Sub-class 509; and

Group V – The method of using a polymer coordination compound of Claim 14, classified in Class 502, Sub-class 509.

The basis for the Examiner's Requirement for Restriction is that he considers the claim groups to be distinct because the products of Group I can be made by the different processes in Group II, IV, and V. Further, the products of Group I could be used for selectively removing pollutants/impurities from a system, aqueous or otherwise. Group II, IV, and V methods of making polymer coordination compounds are unrelated because they are not methods of making the same polymer coordination compounds. Additionally, Group II and IV methods of making a polymer coordination compound and Group III and V methods of using a polymer coordination compound

It is respectfully submitted that the Examiner's Requirement is deficient on its face because 35 U.S.C. § 121 requires the involved inventions be not only distinct, but also independent. Clearly, the inventions defined in the claims of Groups I, II, III, IV, and V are not independent in that the Group I claims define a compound that is used in the methods of the Group II, III, IV, and V claims.

The Examiner has recognized the claim groups do not define independent inventions because he has not characterized them as being independent. Moreover, the Examiner has not even attempted in his Action to explain why he considers the claims to be directed to independent inventions. Consequently, the Examiner has issued a requirement that is deficient on its face because he has not explained why the five claim groups are considered to define independent subject matter. Accordingly, the Requirement should be withdrawn.

It is submitted further that the Examiner's Requirement should be withdrawn because a proper search of the subject matter of the five claim Groups requires that a search be conducted for the subject matter of all groups of claims. This is because the subject matter of the claims is so interrelated. For example, the methods of the Group II, III, IV, and V claims involve the compound of the Group I claims.

As requested by the Examiner, applicants provisionally elect with traverse to prosecute compound claims 1-3 and 12-13 of Group I. Applicants respectfully request that, upon indication of allowable subject matter with regard to the elected claims, the withdrawn method and compound claims which include all the recitations of the composition claims be

rejoined for examination of patentability (M.P.E.P. Section 821.04). Applicants also reserve the right to file a divisional Application on any unexamined, non-elected subject matter.

Turning to the Species election requirement, Applicants provisionally elect the compound of Example 1 wherein the transition metal is cobalt, three cobalt atoms are present, the exodentate ligand is 4,4'-bipyridine, the polyfunctional bidentate ligand is biphenyl-4,4'-dicarboxylate, the solvent is dimethyl formamide (DMF), four DMF molecules are present, and one water molecule is present. Claims 1-3 read on this species.

It is believed that the claims in this application are in condition for allowance. A favorable action on the merits is respectfully requested. A one-month Petition for Extension of time to respond to the Requirement is also enclosed with a credit card authorization form for the required fee of \$60.00 (small entity). If there are any additional charges in connection with this response, the Examiner is authorized to charge Applicant's Deposit Account No. 19-5425 therefore.

Respectfully submitted,



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